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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA

7)
8) Case Number: 3:18-CV-06917-WHO
9 JADEADA GARLIPP, CALEB GARLIPP,)
10 LILLIAN PHAETON, PARIS ALEXANDER,) **CASE MANAGEMENT STATEMENT &**
11 and JAMES ALEXANDER) **[PROPOSED] ORDER**
12)
13 Plaintiffs,)
14 vs.)
15 ROBERT BENNETT, BERNIE MENDIA,)
and DOES 1-10.)
Defendants.)

16)

16 The Plaintiffs in the above-entitled action submit this CASE MANAGEMENT
17 STATEMENT & PROPOSED ORDER pursuant to the *Standing Order for All Judges of the*
18 *Northern District of California* and *Civil Local Rule 16-9*. Plaintiff's counsel has not had contact
19 with Defendants aside from their filings with this Court.
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21 1. Jurisdiction & Service

22 Plaintiffs have a pending motion to remand for lack of jurisdiction based on the failure of
23 Defendants to meet their burden to have the case removed on that basis.
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25 2. Facts

26 Plaintiffs are long term tenants at the subject property, which has become increasingly
27 dilapidated over the years. In addition, Defendants allegedly engaged in conduct that violates
28 local ordinances and other statutes.

1 3. Legal Issues

2 Plaintiff is unaware of Defendants' legal contentions as they have not responded to the lawsuit,
3 and seem to be inviting Plaintiffs to obtain a default judgment.

4 4. Motions

5 Plaintiffs' Motion to Remand is being re-noticed.

6 5. Amendment of Pleadings

7 No amendment is anticipated at this time.

8 6. Evidence Preservation

9 The parties have not conferred as Defendants have not contacted Plaintiff's counsel regarding the
10 case, and Plaintiff's counsel does not have reliable or responsive contact information for the
11 Defendants.

12 7. Disclosures

13 There have been no disclosures thus far, and Plaintiffs' Motion to Remand must be heard as a
14 threshold issue regarding jurisdiction.

15 8. Discovery

16 Given the apparent invitation to take a default judgment, discovery is not anticipated at this
17 stage.

18 9. Class Actions

19 N/A

20 10. Related Cases

21 N/A

22 11. Relief

23 Plaintiffs seek damages according to proof, including emotional, statutory, punitive damages,
24 and attorney fees.

1 12. Settlement and ADR

2 There are no anticipated settlement discussions at this time. Plaintiffs are open to any settlement
3 discussions, mediation, or other forms of alternative dispute resolution.

4 13. Consent to Magistrate Judge For All Purposes

5 Defendants failed to consent or decline the Magistrate, and the case has been reassigned.

6 14. Other References

7 At this time no other procedures are anticipated or seen as beneficial.

8 15. Narrowing of Issues

9 Lack of meaningful communication has made this not possible at this time.

10 16. Expedited Trial Procedure

11 Unknown at this time.

12 17. Scheduling

13 Plaintiff's request a hearing on their motion to remand at the earliest allowable date.

14 18. Trial

15 In the event the case proceeds and there is not a default, Plaintiffs request a jury trial.

16 19. Disclosure of Non-party Interested Entities or Persons

17 None known at this time.

18 20. Professional Conduct

19 Plaintiffs' counsel has reviewed the guidelines.

20 21. Other

21 N/A

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2 Dated: 2/7/19

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4 Counsel for Plaintiffs

5 **CASE MANAGEMENT ORDER**

6 The above JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER is approved
7 as the Case Management Order for this case and all parties shall comply with its provisions. [In
8 addition, the Court makes the further orders stated below:]
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24 IT IS SO ORDERED.

25 Dated:

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 UNITED STATES DISTRICT/MAGISTRATE JUDGE
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